

The essential characteristic of safety as a category of right

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Abstract

© 2016 Minzhanov et al. The relevance of the study is conditioned by the reassessment of the value of security as the basis for sustainable development of civil legal relations, ensuring the protection of the vital interests of the individual, society and state, as well as the preservation of civil peace, political and social stability in society. The purpose of the article is to give the safety's essential characteristics as the civil law category. The leading methods are comparative-historical and comparative-legal. The empirical base of the research is the normative legal acts of the Russian Federation on security. Core findings include: historical stages in the understanding process of security's essence are identified (antique, Christian, Reformation, Enlightenment, classical, neo-classical); Security's essence is disclosed as the state of absence of danger and versatile process for protection of the vital interests of the individual, society and state from internal and external threats; the basic safety features are revealed (generality, comprehensiveness, universality, multi-functionality); the basic directions of the civil right safety regulation are distinguished. This study provides important findings. Firstly, security's civil right regulation provides the legal protection of the vital interests of the rights' entities in connection with the entry into the sphere of legal relations. Second, it is the basis to confront the external and internal threats to the vital interests of the individual, society and the state by legal tools. Third, it creates conditions for strengthening of the inviolability of state-legal system and order, evolution of right and the state to the social ideals. The paper Submissions can be useful for those who are engaged in legislative activities, legal practice, teachers of legal disciplines.

Keywords

Civil legal regulation of safety, Legal protection of the vital interests, The right to safety